

MINUTES
LEGISLATIVE GOVERNMENT OVERSIGHT COMMITTEE
December 15, 2008

The Legislative Government Oversight Committee met December 15, 2008 in the Supreme Court Chamber at the Capitol. Senator Tom Courtney, Chair, called the meeting to order at 10:10 a.m. Other members present were:

Senator Pat Ward, RM
Senator Becky Schmitz

Representative Vicki Lensing, Chair
Representative Wayne Ford, VC
Representative Ralph Watts, RM
Representative Clel Baudler
Representative Steven Olson
Representative Kurt Swaim
Representative Jodi Tymeson

The following members were excused: Senator Mary Lundby, Senator Michael Connolly, Representative Deborah Berry, and Representative Wes Whitead.

MINUTES

Senator Courtney made a motion to approve the minutes from the previous interim meeting. No changes were noted. The Committee approved the minutes from the October 2008 meeting.

OVERVIEW

The primary focus of the meeting included an update on new sexual misconduct policies and procedures developed in light of the Stolar Partnership report regarding how allegations of a sexual assault were handled at the University of Iowa; an examination of crime rates and trends across the State; a status report on the State's election process; a discussion of salt procurement issues and the outlook for upcoming winter road maintenance; and an overview of Capitol Complex security procedure changes, restoration efforts, and grounds improvements

BOARD OF REGENTS - UPDATE ON SEXUAL MISCONDUCT POLICIES

Mr. David W. Miles, President, Iowa State Board of Regents, accompanied by fellow Board of Regents members Ms. Bonnie Campbell, Mr. Robert Downer, and officials from the University of Iowa, Iowa State University, and the University of Northern Iowa, discussed efforts undertaken by the Board in coordination with the Regents institutions to develop and implement student-centered sexual misconduct policies based upon recommendations contained in a report conducted and issued by the Stolar Partnership after allegations of the mishandling of a sexual assault investigation by the University of Iowa. Mr. Miles emphasized that the Board will not tolerate sexual misconduct nor the mishandling of sexual misconduct allegations, and characterized the policy development process as a major effort conducted by regents institutions and consultants intended to develop student-to-student sexual misconduct policies that mirrored national best practices and reflected a clear and formalized institutional response protocol. He additionally highlighted victim advocacy and Good Samaritan aspects of the policies, explaining with reference to the latter that student input and national best practices supported a policy protecting informants against institutional action, but not in all instances criminal prosecution, for relatively minor infractions of university policy committed by an informant providing evidence relating to a sexual

misconduct allegation. Mr. Miles stated that the Board and the institutions are now focusing on implementation of the policies in the form of ongoing campus training and student promotional and educational efforts, and that the Board will continue to review the effectiveness of the policies both internally and through an external review process.

CRIME RATE AND TRENDS IN IOWA AND UNIFORM CRIME REPORT

Mr. Russ Porter, Intelligence Bureau Chief, Department of Public Safety, provided information relating to current crime rates and historic trends in crime rate reporting. He summarized the history of crime rate reporting in the State, indicating that crime rate reporting is now done on an incident-based basis, and noted that crime statistics reflect the rate of crime per one hundred thousand people in various grouped categories, rather than the number of incidents of a particular crime. Mr. Porter generally observed a decrease in crime from the year 2006 to 2007, and also more broadly over the preceding ten-year period, although he noted that fraud-related offenses and crimes against society appear to be increasing. He stated that local trends for reported crime may not follow statewide crime rate statistics, and that nationally over-all crime rates also appear to be decreasing.

SECRETARY OF STATE - ELECTION PROCESS UPDATE

The Honorable Michael A. Mauro, Secretary of State, accompanied by Ms. Sarah Reisetter, Elections Director, Secretary of State's Office, discussed the operation of the 2008 election process from the Office's standpoint. Mr. Mauro stated that over-all the process went smoothly and few problems were reported by county auditors, particularly in light of a record high voter turnout and utilization of new elections procedures and equipment. He noted that satellite and absentee voting are becoming a bigger part of the elections process, that over 40,000 individuals participated in Election Day registration, and that approximately 10,000 fewer provisional ballots were cast. He expressed a need for increased education for polling place workers regarding the new procedures and equipment, and expressed concern regarding funding necessary to maintain a database required by the Help America Vote Act.

UPDATE ON SALT SHORTAGE AND WINTER MAINTENANCE

Mr. Kevin Mahoney, Director of Highway Division, Department of Transportation, and Mr. Dennis Burkheimer, Winter Operations Administrator, Office of Maintenance, Department of Transportation, provided input concerning the Department's winter maintenance program. Mr. Burkheimer provided an overview of the number of lane miles of roadway and interstate highway in the State; the number of snowplows, staff and maintenance facilities necessary to maintain those roadways during winter; and the number of tons of covered salt storage necessary to be maintained to do so. He noted that the current snowplow fleet is aging and expensive to replace, that winter-related fatal and injury crashes are declining, and that 2007-2008 snowfall amounts were some of the heaviest on record. Additionally, Mr. Burkheimer summarized the various types and amounts of materials used for winter road maintenance and the salt procurement process, indicated that for the first time in history a significant number of Department locations did not receive a reasonable bid from salt vendors, and noted a nationwide salt shortage resulting not from depleted reserves but from transportation problems and delays. The Department's winter road maintenance operational strategies and procedures were also addressed, along with road weather forecasting technology and innovations in maintenance equipment design.

CAPITOL COMPLEX CONDITIONS AND IMPROVEMENTS.

Mr. Mark Willemssen, Facilities Manager, Iowa Legislature, summarized recent developments relating to Capitol ground floor renovation efforts and relocation of public access points of entrance.

Mr. Ray Walton, Interim Director, Department of Administrative Services, identified and described various building construction, relocation, and acquisition projects, including the new Iowa Association of Community Colleges Trustees Building, structures located in the 700 block of East Locust, the Mercy Capitol building, and the status of the west Capitol terrace project and specified parking lot improvements.

Mr. Brice Oakley, Chairperson, Capitol Planning Commission, summarized the Commission's membership and statutorily authorized mission, emphasizing that the Commission takes a long-range view in determining the suitability of proposed changes or additions to the Capitol Complex and grounds. Mr. Oakley discussed the development of rules to guide the Commission on acting upon applications for monuments and memorials on the capital grounds, and identified recent projects which have received approval for construction. He additionally commented on the Commission's Annual Report, a longer-term Master Plan, and the Commission's role as primarily advisory in nature.

Mr. Dean Ibsen, Manager, Vertical Infrastructure Program, Department of Administrative Services, identified various structural and landscaping improvements for which fiscal year 2009 appropriations were allocated, and described high performance energy efficiency planning aspects of a new building to house the Iowa Utilities Board and Office of Consumer Advocate.

OTHER COMMITTEE BUSINESS

Senator Courtney paid tribute and recognized several people who would not be active with the Government Oversight Committee, especially, Senator Mary Lundby, who retired and is battling cancer and asked to keep Senator Lundby in our thoughts and prayers. Also, Senator Michael Connolly, who has retired from the General Assembly who served in the Iowa Legislature since 1979. In addition, Senator Courtney noted the passing of Sam Leto, a longtime public servant who worked for the Legislative Services Agency before retiring in 2007.

Representative Lensing thanked members of the Government Oversight Committee who will no longer be on the Committee for the 83rd General Assembly and have new committee assignments – Representative Jodi Tymeson and Senator Becky Schmitz. Representative Tymeson and Senator Schmitz noted that they enjoyed their tenure on the Committee. In addition, Representative Lensing noted that she enjoyed her time as Co-Chair with Senator Courtney. Beginning with the new Legislative Session, Senator Rich Olive is the appointed Senate Chair.

NEXT MEETINGS

Next meetings will be during the 2009 Legislative Session with the 83rd General Assembly

ADJOURNED

Senator Courtney adjourned the meeting at 3:30 p.m.